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MEMO ENDORSED

December 4, 2024

Application GRANTED. The stay of litigation for Special Officer Daquan Seymour is hereby lifted.

BY ECF

Hon. Jessica G. L. Clarke
United States District Court
Southern District of New York
500 Pearl Street, Room 1040
New York, New York 10007

SO ORDERED.



JESSICA G. L. CLARKE
United States District Judge
Dated: December 5, 2024
New York, New York

Re: *Martinez v. City of New York*, Case No. 23-CV-6303 (JGLC)

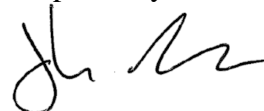
Your Honor:

I write as Plaintiff's counsel to request that the Court lift the stay of litigation for Special Officer Daquan Seymour because he has entered a guilty plea in the related criminal case. On October 18, 2023, the Court entered an Order that, in relevant part, stayed the action "against Special Officer Seymour . . . pending the conclusion of the criminal proceeding" (Dkt. 28 at 6). On November 12, 2024, Mr. Seymour withdrew his not guilty plea and entered a guilty plea to Count 2 (Deprivation of Rights Under Color of Law) of the Superseding Indictment. *See United States v. Seymour*, No. 23 Cr. 373 (ER) (S.D.N.Y.) (docket entries for November 12, 2024). Accordingly, Plaintiff requests that the Court now lift the stay of litigation for Mr. Seymour.

Additionally, Plaintiff has taken the following steps consistent with the Court's Order directing "Defendants . . . to respond to the Complaint by no later than January 6, 2025" entered on the record during the October 8, 2024 conference (*see* Dkt. Minute Entry entered Oct. 9, 2024). My firm obtained the last known addresses for each of the individual defendants from counsel for the City of New York, and we sent certified letters to each defendant advising them of the Court's Order and enclosing a copy of the Minute Entry from the October 8, 2024 conference. My firm received a telephone call from one of the defendants, Keren Jones; and on December 4, 2024, undersigned counsel spoke with Ms. Jones. I advised her that I represent the plaintiff in this action filed against her. Ms. Jones asked whether she was sued individually in this case. I answered that she was. Ms. Jones confirmed that she had received a copy of the Complaint. I informed Ms. Jones that she should attempt to retain counsel and that the Court directed her to respond to the Complaint by January 6, 2025.

I appreciate the Court's time and attention to this request.

Respectfully,



Joshua S. Moskovitz

cc: All Counsel of Record (by ECF)